

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,	)	
	)	
Petitioner,	)	8:18CV46
	)	
v.	)	
	)	
STATE OF NEBRASKA,	)	ORDER
	)	
Respondent.	)	
_____	)	

The Petitioner has filed an application to proceed in district court without prepayment of fees or costs (filing no. 48). In reality, he seeks leave to appeal in forma pauperis. With that understanding,

IT IS ORDERED that the Petitioner's motion (filing no. 48), construed to be a motion to appeal in forma pauperis, is granted.<sup>1</sup>

DATED this 17<sup>th</sup> day of December, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge

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<sup>1</sup>Since this matter has already been appealed and in forma pauperis status has been granted (filing no. 42), the present motion appears to be redundant.